

### **REMARKS**

Consideration of the amendments is respectfully requested. The amendments are made pursuant to 37 C.F.R. 1.121. The amendments find support in the application as originally filed and add no new matter pursuant to 37 C.F.R. 1.121(f).

### **Status of Claims**

Claims 20-25, 31-34, 36, 38, 40 and 41-44 are pending in this application.

Claims 1019, 26-30, 35, 37 and 39 have been currently canceled.

Claims 41-44 have been currently added.

Claims 20, 33-34 and 40 have been currently amended.

### **Claims**

#### **Rejections Under 35 USC 102(a)**

##### **I. First Lee Article**

In Paragraphs 2-3 of the Office Action, the examiner rejected Claims 20, 23, 24, 31, 33, 34, 36, 39 and 40 under 35 USC 102(a) as being anticipated by the IEEE article by Sanghoon Lee et al. entitled "UNEQUAL ERROR PROTECTION FOR FOFATION-BASED ERROR RESILIENCE OVER MOBILE NETWORKS" (hereinafter referred to as the "first Lee Article").

In response, Claim 20 has been amended to include the following limitations:

*wherein the first error correction protocol comprises a first FEC algorithm and the second error correction protocol comprises a second FEC algorithm, the first FEC algorithm being more powerful than the second FEC algorithm.* (Emphasis added)

The first Lee Article does not teach or suggest first and second FEC algorithms.

Instead, the first Lee Article only teaches first and second ARQ protocols wherein one of the ARQ protocols is a hybrid ARQ that includes both ARQ and FEC. Hence, the first Lee Article only teaches one FEC protocol. Furthermore, since the first Lee Article **does not** employ first and second FEC algorithms, the algorithms cannot be evaluated as being more powerful than the other.

In view of the foregoing remarks, amended Claim 20 is allowable over the first Lee Article and the rejection under 35 USC 102(a) should be withdrawn. Since Claims 23-24, 31, 33-34 and 36 depend from independent Claim 20, then for the same reasons set forth above with regard to Claim 20, these dependent claims are also allowable over the first Lee Article and the rejection under 35 USC 102(a) should be withdrawn.

Claim 40 has been amended to be in independent form and to include the following limitations:

*wherein the first error correction protocol comprises a first ARQ communications protocol having a first allowable error threshold associated therewith and the second error correction protocol comprises a second ARQ communications protocol having a second allowable error threshold associated therewith, the first allowable error threshold being lower than the second allowable error threshold. (Emphasis added)*

The first Lee Article **does not** teach or suggest first and second ARQ communications protocols having a first and second allowable error thresholds. Instead, the ARQ protocols have unequal queuing delays, as described on page 142, column 1, lines 4-10.

In view of the foregoing remarks, amended Claim 40 is allowable over the first Lee Article. Since Claims 41-44 depend directly or indirectly from independent Claim

40, then for the same reasons set forth above with regard to Claim 40, Claims 41-44 are also allowable over the first Lee Article.

## **II. Second Lee Article**

In Paragraph 4 of the Office Action, the examiner rejected Claims 20-25, 31-34, 36, 38 and 40 under 35 USC 102(a) as being anticipated by the IEEE article by Sanghoon Lee et al. entitled "FOVEATION-BASED ERROR RESILIENCE FOR VIDEO TRANSMISSION OVER MOBILE NETWORKS" (hereinafter referred to as the "second Lee Article").

In response, Claims 20 and 40 have been amended as already previously described above.

The second Lee Article **does not** teach or suggest first and second ARQ communications protocol having a first and second allowable error thresholds. Instead, the ARQ protocols have unequal queuing delays, as described on page 1453, column 1, lines 13-24.

In view of the foregoing remarks, amended Claim 20 is allowable over the second Lee Article and the rejection under 35 U.S.C. 102(a) should be withdrawn. Since Claims 21-24, 34, 36 and 38 depend from independent Claim 20, then for the same reasons set forth above with regard to Claim 20, these dependent claims are also allowable over the first Lee Article and the rejection under 35 USC 102(a) should be withdrawn.

Also, in view of the foregoing remarks, Claim 40, as amended and in independent

form is allowable over the second Lee Article and the rejection under 35 U.S.C. 102(a) should also be withdrawn. Since Claims 41-44 depend directly or indirectly from independent Claim 40, then for the same reasons set forth above with regard to Claim 40, these dependent claims are also allowable over the second Lee Article.

Also, Claim 25 has been amended to now recite:

*25. A method for the processing of video image data received from a first electronic device, the first electronic device having performed the steps of:*

*defining a foveation point in a video image;  
defining at least one foveated area around said foveation point;*

*extracting a first plurality of data signals representing said foveated area;*

*extracting a second plurality of data signals representing a background area;*

*encoding the extracted first plurality of data signals with a first error correction protocol to create a first encoded signal; and*

*encoding the extracted second plurality of data signals with a second error correction protocol different from the first error correction protocol to create a second encoded signal, the method comprising the steps of:*

*decoding the first transmitted encoded signal and  
correcting errors within the first transmitted encoded signal with use of a high priority processing step to create a received foveated area; and*

*decoding the second transmitted encoded signal and  
correcting errors within the second transmitted encoded signal with use of a low priority processing step to create a received background area. (Emphasis added)*

The second Lee Article **does not** teach the above-underlined claim limitations. More specifically, the second Lee Article **does not** described low and high priority processing steps as related to correcting errors.

In view of the foregoing remarks, Claim 25 is allowable over the second Lee

Article and the rejection under 35 USC 102(a) should be withdrawn. Since Claim 38 depends from independent Claim 25, then for the same reasons set forth above with regard to Claim 25, Claim 38 is also allowable over the second Lee Article.

### CONCLUSION

In view of the foregoing remarks and amendments, the Applicant believes that they have overcome all of the examiner's basis for rejection, and that this application therefore stands in condition for allowance. However, if the Examiner is of the opinion that such action can not be taken, the Applicant requests that he contact their undersigned attorney at (908) 654-8000 in order to resolve any outstanding issues without the necessity of issuing another Office Action.

Respectfully submitted,



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